

**CITY OF CASTROVILLE CITY COUNCIL
REGULAR CALLED COUNCIL MEETING**

**1209 Fiorella
City Council Chambers**

May 25, 2021

Tuesday

5:00 P.M.

MINUTES

I. CALL TO ORDER

Mayor Darrin Schroeder called the meeting to order at 5:00 p.m.

II. ROLL CALL

Present:

Mayor Darrin Schroeder

Scott Dixon, City Administrator

Councilmember Sheena Martinez

Debra Howe, City Secretary

Councilmember Paul Carey

Devin Fredrickson, Parks and Recreation Director

Councilmember Todd Tschirhart

Brian Jackson, Police Chief

Councilmember Phil King

John Gomez, Public Works Director

Others in attendance:

Cynthia Trevino, City Attorney, Denton, Navarro, Rocha, Bernal & Zech, P.C.

III. PLEDGE OF ALLEGIANCE

IV. INVOCATION

Councilmember Paul Carey gave the invocation.

V. CITIZEN COMMENTS

The public will be permitted to offer public comments telephonically as provided by the agenda and as permitted by the presiding officer during the meeting. Written questions or comments may be submitted up to two hours before the meeting. A recording of the telephonic meeting will be made and will be available to the public in accordance with the Texas Public Information Act upon request.

Robert Lee, 1314 Gentilz, spoke on the recent storm and the additional brush/limbs on the properties. Mr. Lee hoped Code Enforcement was understanding of how long it may take to be removed. Mr. Lee recommended during council discussions on drainage issues to add Geneva Street to the list of streets. Mr. Lee also suggested looking at an alternative to purchasing a chipper shown on the agenda.

VI. CONSENT AGENDA

A. Minutes for May 11, 2021, Regular Called Council Meeting.

A motion was made by Councilmember King and duly seconded by Councilmember Martinez to approve the consent agenda. A vote was taken (4:0 all ayes) the motion carried by all present.

VII. Swearing In of Patrol Officer Ryan Murphy

Mayor Schroeder swore in the newest member of the police force, Patrol Officer Ryan Murphy.

VIII. Review applications submitted to fill vacant seat for District 5

City Secretary Debra Howe briefed the city council on three applications submitted for District 5 position. Two of the three applicants were in attendance to interview and answer questions from the council.

Herb Dyer, 901 Gentilz, briefed the city council on why he felt he was the best candidate to fill the open position. Mr. Dyer was a retired veteran, a citizen of Castroville over 22 years, had served on city boards and had served one term as the District 5 representative. Mr. Dyer handed out his answers to the questions sent to the candidates. Mr. Dyer felt with his experience and his continued involvement with the current development he would help with the future growth, keep the citizens from bearing the cost associated with new growth, and help with stability to keep good staff. Mr. Dyer spoke on keeping Alsatian Oaks Development on track, his knowledge on working through budget issues and working with others would make him the best candidate.

Bob Lee, 1314 Gentilz, briefed the city council on why he felt he was the best candidate to fill the open position. Mr. Lee was retired military, had a Masters Degree in Public Administration, was longest serving Mayor for 4 terms, had sat on several boards and was the current Chairman of the Zoning Board of Adjustment. Mr. Lee spoke on the needs he saw in the city: drainage, street work, and code enforcement. He felt with his experience serving the city and his attention to details he would be good at assessing new development, look for alternatives to saving the city money, look at fixing the water system, storm drainage and planning for the city was his best assets to fill the position.

Mario Hernandez, 902 Lisbon, did not attend the meeting.

Mayor Schroeder recessed the meeting to go into Executive Session at 5:27p.m. Mayor Schroeder stated the council would only be discussing the appointment of a public officer and would go back into Executive Session to consult with attorney on Economic Development Negotiations later in the meeting.

IX. EXECUTIVE SESSION

The City Council will meet in Closed Session under provisions of the Texas Government Code, Section 551.074 (entitled Deliberation regarding Personnel matters) to deliberate the appointment of a public officer.

- a. Candidates for District 5.

Opened: 5:31 p.m.

Closed: 5:41 p.m.

X. Reconvene in Open Session

Mayor Schroeder reconvened in open session at 5:44 p.m.

XI. Consider possible action or give direction on items legally discussed in Executive Session

A motion was made by Councilmember King and duly seconded by Councilmember Carey to appoint Herb Dyer to fill the open position of District 5.

Before a vote was taken, Mayor Schroeder thanked the candidates for applying for the position. Mayor Schroeder stated the council looked at the last election results with Mr. Dyer defeating Mr. Lee and felt the citizens had spoken on who they wanted to represent the district. **A vote was taken (4:0 all ayes) the motion carried by all present.**

XII. Swearing In of new District 5 Councilmember

City Secretary Debra Howe administered the oath of office to Herb Dyer for District 5.

XIII. Mayor's Report:

- a. Begin the year right – new council, new responsibilities, renewed diligence in representing the city.**
- b. Update on storm debris.**
- c. Update on Thoroughfare Plan.**
- d. Development in Castroville**
- e. Emergency notifications.**
- f. Priorities for upcoming Budget.**

Mayor Schroeder provided a slide presentation and briefing on starting the year off working together as a new council. Mayor Schroeder provided an update on pickup of brush/debris from the recent storm. Mayor Schroeder said waste management had not provided the service he felt they should have but they were working on the issue. City Administrator Scott Dixon said he had seen some areas of brush that did not meet the limits of 6 yards and 4ft. in length but waste Management would continue to pickup in the next few months. Mayor Schroeder recommended putting the information back in the monthly newsletter to remind the citizens. Councilmember Martinez said some senior citizens had trees down and were concerned with possible citations if the debris was not picked up. City Administrator Dixon said the city was working on this and there was another clean up scheduled for the next weekend. Council discussed providing dumpsters for drop-off of debris and brush available to the citizens. Mayor Schroeder said was in-favor if, the additional cost would be covered in the budget. Councilmember Carey felt there was citizens bringing in brush from outside of the city for pickup. Mayor Schroeder said there was currently good interest from developers in Castroville. Mayor and city staff would be meeting with Keith Lutz on emergency notifications. Mayor Schroeder said his budget priorities were to have a balanced budget, healthy fund balances, and to prioritize capital expenditures.

XIV. Public Hearing on a request for preliminary plat of Kempf Estates, located immediately North of Old US Highway 90 and East of River Bluff.

Opened: 6:20 p.m.

Arnie Dollase, 109 River Bluff, provided information from the Planning and Zoning Commission he had attended. He said beside him, two other residents had attended and were in support of the request.

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Closed: 6:21 p.m.

XV. Consider and take appropriate action on a request for a preliminary plat of Kempf Estates, located immediately North of Old US Highway 90 and East of River Bluff.

Councilmember Carey briefed the city council on the questions raised on the preliminary plat when it was submitted to the Planning and Zoning Commission. Mr. Carey said the City Engineer had not reviewed the plat before the Planning and Zoning Meeting and any questions the City Engineer had identified would be addressed before the final plat came to the city council for approval. Councilmember Martinez had concerns with the drainage of this property. Mr. Carey said the City Engineer had reviewed. Ms. Martinez asked if not meeting as stated, Chapter 100 – Subdivision Ordinance was the only issue. Mr. Carey said the plat should have been submitted as a vacate and replat but was not. Ms. Martinez was also concerned because of the electrical issues in her area. Another concern of council was the lack of sewer and water rights. Councilmember Dyer was concerned with the lack of sewer and felt he needed more information. City Administrator Dixon said he had spoken to the property owner and he would be addressing these concerns. Public Works Director John Gomez stated they would be bringing water rights to the city, installing grinder pumps and a force main to connect the sewer. Councilmember Carey said the a question on the zoning was discussed at the planning and zoning and at this time the property was zoned residential/multifamily and could stay that way but with the dividing of the lots, homes would be built. Public Works Director Gomez said all concerns would be addressed in the final plat. Councilmember King was in favor of the option of single-family homes.

A motion was made by Councilmember Tschirhart and duly seconded by Councilmember Carey to approve a preliminary plat of Kempf Estates, located immediately North of Old US Highway 90 and East of River Bluff with conditions addressed in the final plat. A vote was taken (5:0 all ayes) the motion carried by all present.

XVI. Public Hearing on a request for changes to Castroville Subdivision regarding plat approval with a development agreement.

Opened: 6:36 p.m.

No one requested to speak.

Closed: 6:36 p.m.

XVII. Consider and take appropriate action on adopting an ordinance amending the Castroville Subdivision Ordinance for plat approval with a development agreement in place.

City Administrator Dixon briefed the city council on streamlining the platting process when a development agreement was in place. Mr. Dixon said the preliminary would be reviewed by staff and the final plat would still come to the city council for final approval. Mayor Schroeder asked the city attorney if there were any legalities to changing the process. City Attorney Cynthia Trevino said in the government code there was no legal requirements for a preliminary plat to go before the

(Cont.)

Planning and Zoning Commission first. Councilmember Carey said the same checks and balances would still be in place including legal review.

A motion was made by Councilmember Dyer and duly seconded by Councilmember Carey to adopt an Ordinance amending the Castroville Subdivision Ordinance for plat approval with a development agreement in place. A vote was taken (5:0 all ayes) the motion was carried by all present.

XVIII. Consider and take appropriate action on approving the final plat for Alsatian Oaks, Unit 2

City Administrator Scott Dixon briefed the city council on the final plat for Alsatian Oaks, Unit 2. Mr. Dixon said the preliminary had been approved at the last meeting with conditions and they had been addressed in the final plat.

A motion was made by Councilmember Carey and duly seconded by Councilmember Dyer to approve the final plat as presented for Alsatian Oaks, Unit 2. A vote was taken (5:0 all ayes) the motion carried by all present.

XIX. Presentation on River Bluff Electric upgrades by Chris Harper P.E., Schneider Engineering

Chris Harper, P.E. with Schneider Engineering briefed the city council on the River Bluff Electrical upgrades. Mr. Harper provided a slide presentation on overhead vs. underground reliability, maintenance, easements with advantages of each. Mr. Harper also provided information on back vs. front lot location of transformers discussing difficulty of maintenance, cost of equipment to maintenance and accessibility. Councilmember Martinez spoke on flooding issues where some of the transformers could be located. She also wanted to allow the citizens of River Bluff have a voice in where the transformers may be located. Mayor Schroeder said the town hall meeting for the residents would be scheduled to allow everyone to discuss and have questions answered. Mayor Schroeder said the city was committed to the project but them, as a council would need to look at what was the best value for the city.

XX. Consider and take appropriate action on approving the purchase of a Vermeer BC1000XL Brush Chipper

City Administrator Dixon briefed the city council on the request to purchase a brush chipper. Mr. Dixon thought it would be a good purchase and with the current issues with brush the city could put to good use. Mr. Dixon said the city could look at offering services for a fee or for no charge and offer mulch to the residents. Councilmember Martinez asked about operation and maintenance of the machinery. Mr. Dixon said the street crew would be the ones to run the chipper and maintain. Mr. Dixon said the cost of the chipper was slightly above the budgeted amount due to the purchase of a 5-year warranty.

A motion was made by Councilmember Carey and duly seconded by Councilmember King to approve the purchase of a Vermeer BC1000XL Brush Chipper in the amount of \$37,402.00. A vote was taken (5:0 all ayes) the motion carried by all present.

XXI. Consider and take appropriate action on approving a Project Development Agreement with Ameresco for an Investment Grade Audit of the electric meter, natural gas and water meter infrastructure with a walk away price not to exceed \$45,000

City Administrator Scott Dixon briefed the city council on the agreement with Ameresco for the study of costs and benefits of an automated meter reading system. Deval Allums representative of Ameresco was in attendance for any questions. Mayor Schroeder was concerned with placing debt on current citizens. City Administrator Dixon said the city had to have the infrastructure in place with the new development and this was the best time to conduct the study. Ms. Allums said they would provide data so they, the council, could make an educated decision.

A motion was made by Councilmember King and duly seconded by Councilmember Carey to approve a Project Development Agreement with Ameresco for an Investment Grade Audit of the electric meter, natural gas and water meter infrastructure.

Councilmember Dyer asked for an amendment to the motion to include not to exceed \$45,000. Councilmember King and Carey agreed with the amendment. A vote was taken (5:0 all ayes) the motion carried by all present.

XXII. Consider and take appropriate action on entering into a Mutual Confidentiality Agreement with Medina Electric Cooperative, Inc

City Administrator Scott Dixon briefed the city council on the Mutual Confidentiality Agreement with Medina Electric Cooperative to be part of the bid process when the current agreement for wholesale power expired.

A motion was made by Councilmember King and duly seconded by Councilmember Carey to approve entering into a Mutual Confidentiality Agreement with Medina Electric Cooperative, Inc. A vote was taken (5:0 all ayes) the motion carried by all present.

XXIII. Consider and take appropriate action on authorizing the City Administrator to enter into a Master Service Agreement with Medina Electric Cooperative, Inc. for as-needed basis management-related and operation-related services

City Administrator Scott Dixon briefed the city council on the Master Service Agreement with Medina Electric Cooperative. Mr. Dixon said the agreement would allow the city to have another option for assistance in possibly tree trimming or issues with the electric on an as-needed basis. Mr. Dixon said they would use budgeted funds for any services. Councilmember King asked if staff would continue to get cost estimates if the co-op services were used. Mr. Dixon said they would make sure the cost for the service was in line with others.

A motion was made by Councilmember Carey and duly seconded by Councilmember Tschirhart to authorizing the City Administrator to enter into a Master Service Agreement with Medina Electric Cooperative, Inc. for as-needed basis management-related and operation-related services. A vote was taken (5:0 all ayes) the motion carried by all present.

XXIV. Consider and take appropriate action on the City Utility Policy to include a leak forgiveness process

This item was skipped and would be brought back.

XXV. Consider and take appropriate action on setting the date for a Special Called Meeting

City Administrator Scott Dixon briefed the city council on setting a date for a strategic planning retreat and priorities discussion. Mr. Dixon said at the last meeting council had agreed on two half days starting at noon until 5p.m. and tentatively June 14th and 15th. Council agreed on the two days.

XXVI. Legislative updates on bills filed related to proposed changes affecting cities

City Attorney Cynthia Trevino briefed the city council on the proposed legislative bills that were being considered this session. Ms. Trevino said many of the bills would not affect Castroville due to the size of the city. Ms. Trevino said there was a debt obligation bill if passed would change the limits allowed and certificate of obligations would have to be put to a vote of the people to issue. City Administrator Dixon reminded the city council that the TML website had updates that they could read about all of the bills they were watching that would affect cities.

XXVII. STAFF REPORTS:

- a. **Airport** – Board meeting, TxDOT funded Master Plan, Hangar wait list, Grant opportunities, operations, Fact Sheet on Airport Hazard Zone.
- b. **Community Development** – On-going projects – Alsatian Oaks Units 1, 2 &3 and CLOMR, Church’s Chicken, Country Village Estates, Kempf Estates, Board Meetings. Tasks – GIS and Mapping, Duct Bank, and Code Enforcement Citations.
- c. **Code Enforcement** – Spring Cleanup
- d. **Finance** – Budget meetings with Department Managers/Directors, Sales Tax, Property Tax and AP monthly distribution.
- e. **Library** – annual reports, donation of books, Members statistics, summer camps, material circulation report, and virtual Library Programs.
- f. **Parks**– financial updates, pool house structural inspection, updates to the parks, update on July 4th events.
- g. **Streets** – Drainage update.
- h. **Police Department** – Grants, Emergency Management, Community Happenings, April 2021 Stats and monthly report totals.
- i. **Public Works** – monthly activity report including electric, water, wastewater treatment plant, gas department and general & administration, ongoing development utility projects.

City Administrator Dixon asked for any questions on the reports and said the Airport Zoning Board would be brought back at the next meeting for discussion.

Mayor Schroeder recessed the meeting to go back into Executive Session at 8:26 p.m.

IX. EXECUTIVE SESSION

The City Council will meet in Closed Session under provisions of the Texas Government Code, Section 551.071 (entitled “Consultation with Attorney) and Section 551.085 (entitled “Deliberation regarding Economic Development Negotiations”).

- a. West Side Story
- b. Establishment of Economic Development Corporation
- c. Alsatian Oaks
- d. Clean Sweep

Opened: 8:27 p.m.

Closed: 9:35 p.m.

X. Reconvene in Open Session

Mayor Schroeder reconvened in open session at 9:38 p.m.

XI. Consider possible action or give direction on items legally discussed in Executive Session

No action was taken.

XXVIII. Discussion on future agenda items

No items were requested.

XXIX. ADJOURN

Mayor Schroeder adjourned the meeting at 9:39 p.m.

Darrin Schroeder
Mayor

ATTEST:

Debra Howe
City Secretary